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Attorneys representing the United States

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

-oOo-

**United States of America,

Plaintiff,**

vs.

**Pastor Palafox,
Albert Lopez,
Albert Benjamin Perez,
James Patrick Gillespie, and
Ernesto Manuel Gonzalez,

Defendants.**

2:16-cr-00265-GMN-CWH

**Stipulation – Notice of Special Sentencing
Factors**

The United States by and through the undersigned and defendants Pastor Palafox,
Albert Lopez, Albert Benjamin Perez, James Patrick Gillespie, and Ernest Manuel Gonzalez,
by and through their undersigned counsel, stipulate that the United States will seek to apply the

1 Notice of Special Sentencing Factors as alleged in One of the Superseding Indictment,
2 paragraph 9, to the alleged agreement between the above-named defendants to murder J.P. on
3 September 23, 2011, and only in violation of Nevada Revised Statutes Section 200.010 and
4 200.030. Accordingly, as to these defendants, the Notice of Special Sentencing Factors,
5 paragraph 9, provides as follows:

6 9. As part of the agreement to conduct and participate in the conduct
7 of the affairs of the enterprise through a pattern of racketeering activity, the
8 defendants

9 **PASTOR PALAFOX, a/k/a "Tata,"**
10 **ALBERT LOPEZ, a/k/a "Al,"**
11 **ALBERT BENJAMIN PEREZ, a/k /a "Dragon Man,"**
12 **JAMES PATRICK GILLESPIE, a/k/a "Jimbo," and**
13 **ERNESTO MANUEL GONZALEZ, a/k/a "Romeo,"**

14 agreed that a single act involving murder would be committed, in violation of
15 Nevada Revised Statutes Section 200.010 and 200.030, to wit, the willful,
16 deliberate, premeditated, and unlawful killing of a human being, with malice
17 aforethought.
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1 This agreement does not apply to any other provision in the Notice of Special
2 Sentencing Factors or any other defendant.

3 Respectfully submitted this 10th day of July, 2019.

4 NICHOLAS A. TRUTANICH
United States Attorney

5 /s/ Amy Elizabeth Jacks

/s/ Daniel R. Schiess

6 AMY ELIZABETH JACKS
7 *Counsel for Pastor F. Palafox*

DANIEL R. SCHIESS
Assistant United States Attorney
JOHN HAN
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8 /s/ Andrea Luem

9 ANDREA LUEM
10 *Counsel for Albert B. Perez*

/s/ Mark Fleming

11 /s/ Michael Kennedy

MARK FLEMING
12 *Counsel for Albert Lopez*

13 MICHAEL KENNEDY
14 DAVID FISCHER
Counsel for Ernesto Manuel Gonzalez

/s/ Jesse Marchese

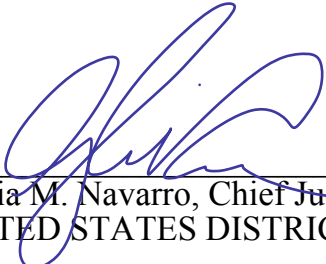
JESS MARCHESE
THOMAS F. PITARO
15 *Counsel for James P. Gillespie*

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17 **ORDER**

18 **IT IS HEREBY ORDERED** that the above Stipulation - Notice of Special
19 Sentencing Factors, (ECF No. 1684), is **GRANTED**.

20 **IT IS FURTHER ORDERED** that in light of the above Stipulation, Defendant
21 Palafox's Objection, (ECF No. 1636), is **OVERRULED as moot**.

22 **DATED** this 10 day of July, 2019.

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Gloria M. Navarro, Chief Judge
UNITED STATES DISTRICT COURT